

Fw: Account #: 13968730

From: Jay H (mci1830@yahoo.com)

To: incoming.dispute@fiscal.treasury.gov

Date: Monday, September 4, 2023 at 12:58 PM EDT

To whom it may concern:

I am desperately in need of renewing my passport, which the account balance (Account # 13968730) apparently is preventing me from doing.

PLEASE, I am humbly asking if you can just tell me if you are working on my dispute? I have heard nothing in response, not even an acknowledgement of my dispute submission.

Any response would be greatly appreciated. A reference to the regulations that governs this dispute process would be most welcome. I assume because my passport renewal is being withheld that there is a formal due-process framework in place wherein I can contest this deprivation?

I thank you in advance for any help you can provide to me.

Kind regards,

Jay Hymas

---- Forwarded Message ----

From: Jay H <mci1830@yahoo.com>

To: incoming.dispute@fiscal.treasury.gov <incoming.dispute@fiscal.treasury.gov>

Sent: Thursday, August 24, 2023 at 08:05:26 AM EDT

Subject: Fw: Account #: 13968730

To whom it may concern:

On August 14, 2023 I submitted a dispute request (see below). I have not heard anything back. Nor have I received any acknowledgement of my request.

Can you confirm that my dispute request has been received and being processed?

Is there a tracking number?

Thank you very much,

Jay Hymas

---- Forwarded Message ----

From: Jay H <mci1830@yahoo.com>

To: incoming.dispute@fiscal.treasury.gov <incoming.dispute@fiscal.treasury.gov>

Sent: Monday, August 14, 2023 at 09:51:44 PM EDT

Subject: Account #: 13968730

To whom it may concern:

Passport Agency to renew my passport. After approximately 6 hours of waiting, I was told I could not renew my passport because of a Treasury "hold" preventing me from renewing my passport.

Two days later I was given a Department of Treasury telephone number to call. I called this number last Friday (8/11) and spoke with people in three different offices but none of them could tell me what the "hold" is regarding. Today I called the number again and spoke with a person that told me the "hold" is actually a hold from the State Department itself regarding "travel expenses". The person I spoke with today directed me that I could "dispute" the issue by writing to this email address, which I am doing now.

DISPUTE-

1) I dispute the denial of my passport renewal as no lawful basis exists for the denial of my passport.

The "hold" originates from the Department of State itself. However the Department's own regulations only allow for denial of a passport renewal for those who have received a loan by reason of destitution under 22 CFR 51.60 (a) (1):

"The applicant is in default on a loan received from the United States under 22 U.S.C. 2671(b)(2)(B) for the repatriation of the applicant and, where applicable, the applicant's spouse, minor child(ren), and/or other immediate family members, from a foreign country (see 22 U.S.C. 2671(d))"

In my case I was repatriated to the United States from Ecuador in March 2020 not due to being "destitute" but rather due to the natural disaster of COVID-19. I did not take out a loan, nor was I in need of a loan as I had money. However, no commercial flights were available and only evacuation flights via the Department of State.

Therefore my return was under 22 USC 2671 (b) (2) (A) (ii) and not the section allowing for a passport denial of 22 USC 2671 (b) (2) (B). The one is a "loan" program for "destitute" people and the other are for those suffer from a natural disaster that is no cause of their own. Only the former is a basis for denial of a passport renewal and not the latter.

On this basis alone my passport renew should proceed unhindered.

2) The second point of dispute is that the amount in question violates the law enacted by Congress. Congress has allowed the Department of State to recover:

"except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a **reasonable commercial air fare** immediately prior to the events giving rise to the evacuation" (22 USC 2671 (b) (2) (A) (ii))

In my case however the Department of State is seeking to extort over \$2500 from me when even at today's elevated airline prices a one-way ticket from Quito, Ecuador to Miami, Florida can be had for any day of the week with no advanced purchase for under \$200. I disputed the original reimbursement request of about \$1600 on this basis via letter to the Department of State in 2020 but never received a reply.

Therefore I request that my passport renewal be processed immediately so that the ongoing damage to my travel plans can be minimized as there is no legal basis for the unlawful "hold".

Additionally I request that the amount requested as a reimbursement be adjusted to reflect what is lawful, something at or under \$200.

Sincerely,

Jay Hymas